



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Supplemental Legislative Analysis**

**Internal Management and Fiscal  
Responsibility Committee**

Thursday, September 15, 2005

2:00 PM

Commission Chamber

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Commission Auditor

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**LEGISLATIVE ANALYSIS**

*ORDINANCE REPEALING SECTION 2-11.17 OF THE CODE RELATING TO  
RESIDENCY REQUIREMENTS.*

Commissioner Sally A. Heyman  
Commissioner Jose "Pepe" Diaz  
Commissioner Natacha Seijas  
Commissioner Katy Sorenson

**I. SUMMARY**

This Ordinance repeals Section 2-11.17 of the Code of Miami-Dade County, Florida, as amended by Ordinance No. 05-88, eliminating the residency requirement for Miami-Dade County employees.

**II. PRESENT SITUATION**

Section 2-11.17 of the Code, relates to the residency requirement for new County employees, providing a 15-month deadline for new hires to establish residency in Miami-Dade County. This section does not apply to employees hired prior to the adoption of the Ordinance in 1999.

The Employee Relations Department (ERD) publishes the residency requirement in all employment advertisements. The covenant is signed by prospective employees and notarized during their processing. Most employees have a 12-month probationary period. Employees who do not establish residency before the deadline may be dismissed.

The County Manager is authorized to waive the residency requirement for humanitarian reasons, and must submit a list of granted waivers to the Commission on a quarterly basis. A Residency Waiver Committee reviews each application on a case-by-case basis, and then forwards their recommendations to the Manager. According to ERD, only 33 requests for waivers have been received since the inception of the residency requirement.

Currently, all sworn classifications within the Corrections & Rehabilitation Department, Miami-Dade Fire Department and Miami-Dade Police Department are exempt from the residency requirement. The Aviation Department and Building Department also have the ability to hire non Miami-Dade residents.

**III. POLICY IMPLICATIONS**

This Ordinance repeals the residency requirement in its entirety for Miami-Dade County employees.

#### IV. ECONOMIC IMPACT

None.

#### V. COMMENTS AND QUESTIONS

- Eliminating the residency requirement provides a much larger, more competitive applicant pool.
- Number of waivers requested since 1999: 33;
- Number of waiver requests granted: 22
  - These waiver requests were granted for humanitarian reasons. (For example, taking care of an elderly or ill spouse or parent, special education needs of a child.)
- Number of waivers denied: 11
  - These waivers requests were denied because financial hardship is not a humanitarian reason.
- Number of employees who resigned in lieu of dismissal for non-compliance: 9;
- Number of employees who relocated to Miami-Dade County: 173.